REMARKS

Claims 1-4, 7-16, 21-38, 43, 44, 53, 58-61, 65-72 and 76-78 were examined in the outstanding office action mailed on 06/12/2006 (hereafter "Outstanding Office Action"). Applicants note with appreciation that claims 16, 21-23, 38, 43, 44, 53 and 58 were allowed, and claims 2-3, 15, 27-29, 60-61 and 71 were objected to, and claims 1, 7-14, 24-26, 30-37, 53, 58, 59, 65-70, 72 and 76-78 were rejected.

By virtue of this response claims 1-23 and 38-78 are sought to be canceled, claims 24-27, 30, 32, 35-37 are sought to be amended and new claims 79-141 are sought to be added. The cancellations, amendments and additions are believed not to introduce new subject matter, and their entry is respectfully requested. The amendments and cancellations are made without prejudice or disclaimer. Claims 24-37 and 79- 141 are thus respectfully presented for consideration.

Claim Rejections Under 35 U.S.C. §§ 102 and 103

Previously presented independent claim 24 and dependent claims 25, 26 and 30-37 were rejected under 35 U.S.C. § 102 (e) as being anticipated by United States Patent Number 5,649,108 naming Spiegel as inventor (hereafter "Spiegel"). Applicants' respectfully traverse.

For example, previously presented claim 24 recites in relevant parts:

> Claim 24 (Previously presented): A device for setting up a plurality of virtual circuits between a first end system and a second end system, said plurality of virtual circuits being set up on a network connecting said first end system to said second end system, said device comprising:
>
> an outbound interface coupled to said network;
>
> a message construction block coupled to said outbound interface; and
>
> a call control logic for causing said message construction block to construct ***a first signaling message requesting said plurality of virtual circuits to be set up, and to send said first signaling message on said network to said second end system***. (***Emphasis Added***)

Spiegel does not teach the feature of constructing a signaling message requesting that multiple virtual circuits be set up. In support of such an assertion, Applicants first reproduce some relevant sections of Spiegel:

> "In a connection-oriented communications network, a source node selects one

of first and second routing mode flags and a first route to a destination node in response to a connection request, and establishes a connection to a first intermediate node located along the first route.."(Abstract Section of Spiegel)

..."The source node makes a search through its routing table to select a first candidate route to a destination in response to receipt of a request for a connection or a second route to the destination in response to a negative acknowledgment (NACK) packet from an adjacent node, sets a list of node identities of the selected route, a cost threshold and a cost of the link from the source node to an intermediate node of the route into a packet, and transmits the packet from the source node to the intermediate node as a connection setup packet. (Column 4, Lines 36-44 of Spiegel)

..."The intermediate node, on receiving a connection setup packet from an adjacent upstream node, adds a cost of the link from the intermediate node to an adjacent intermediate node which is identified by the list of the received packet to the cost set in the received packet if the link between the intermediate node to the adjacent intermediate node has enough resources to support a required value, and transmits the packet to the adjacent intermediate node as a new connection setup packet, ***searching the routing table of the intermediate node and selects a route section from the intermediate node to the node of destination*** not included in the list of node identities of the received packet if the route indicated by the list of the received packet has not enough resources for the link between the intermediate node and the adjacent intermediate node, wherein the selected route section has enough resources to support the required value for the link between the intermediate node and an adjacent intermediate node of the route section and a total of the cost set in the received packet and the cost of the route section is less than the cost threshold set in the received packet. (Column 4, Lines 45- 64 of Spiegel, ***Emphasis Added***).

Thus, referring to Figure 1 of Spiegel, node A is the source node and node G is the destination node. Intermediate nodes B through E may receive a connection packet request and in response select a route section not included (i.e., an alternative route)in the list of node identities contained in the received packet if the route indicated by the list of the received packet does not have enough resources for the link between the intermediate node and the adjacent intermediate node.

Otherwise, (i.e., if the link between the intermediate node to the adjacent intermediate node has enough resources to support a required value) the intermediate node transmits the packet to the adjacent intermediate node as a new connection setup packet.

Thus, Spiegel appears to teach selecting one of several possible routes from an intermediate node, but not the feature of "... a first signaling message requesting ... ***plurality of virtual circuits*** to be set up..." (***Emphasis Added***) recited in claim 24.

The absence of a reference to multiple virtual circuits in Spiegel appears to be supported by the absence of the corresponding field in the packets of Spiegel. In this regard, Spiegel teaches:

> ... "As illustrated in FIG. 3, the connection setup packet contains a plurality of fields 30 through 38 for respectively setting a source address, a destination address, a VCI, a source route (which is a list of those nodes that the connection setup packet should pass through to establish a connection) and a record route (which is a list of those nodes through which the connection has already been established)." (Column 5, Line 65 - Column 6, Line 4)

Thus, the message per Fig. 3 does not appear to request a plurality of virtual circuits to be setup, contrary to the interpretation of the Examiner in the Outstanding Office Action.

Thus, claim 24 is allowable over Spiegel. Claims 25-37 are also allowable at least as depending from allowable base claim 24.

Newly added independent claim 79 is believed to be allowable over the art of record in reciting that, "... sending ***on said ATM network*** to said ***second ATM switch*** a ***single signaling message*** requesting said plurality of virtual circuits to be set up."

The remaining newly added independent claims 95, 103, 110, 118, 122 and 135 are also allowable over the art of record for one or more of the reasons noted above.

Thus all the objections and rejections are believed to be overcome. The Examiner is invited to telephone the undersigned representative at 707.356.4172 if it is believed that an interview might be useful for any reason.

Respectfully submitted,

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Signature

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